

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Attorney Docket No. 2006\_0460A  
Yoshihiro UENO et al. : **Confirmation No. 3165**  
Serial No. 10/575,456 : Group Art Unit 3754  
Filed April 12, 2006 : Examiner  
HEAD HOLDING MEMBER, DISK DEVICE : **Mail Stop: AMENDMENT**  
WITH THE HEAD HOLDING MEMBER,  
AND HEAD HOLDING METHOD IN THE  
DISK DEVICE

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**INTERVIEW SUMMARY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

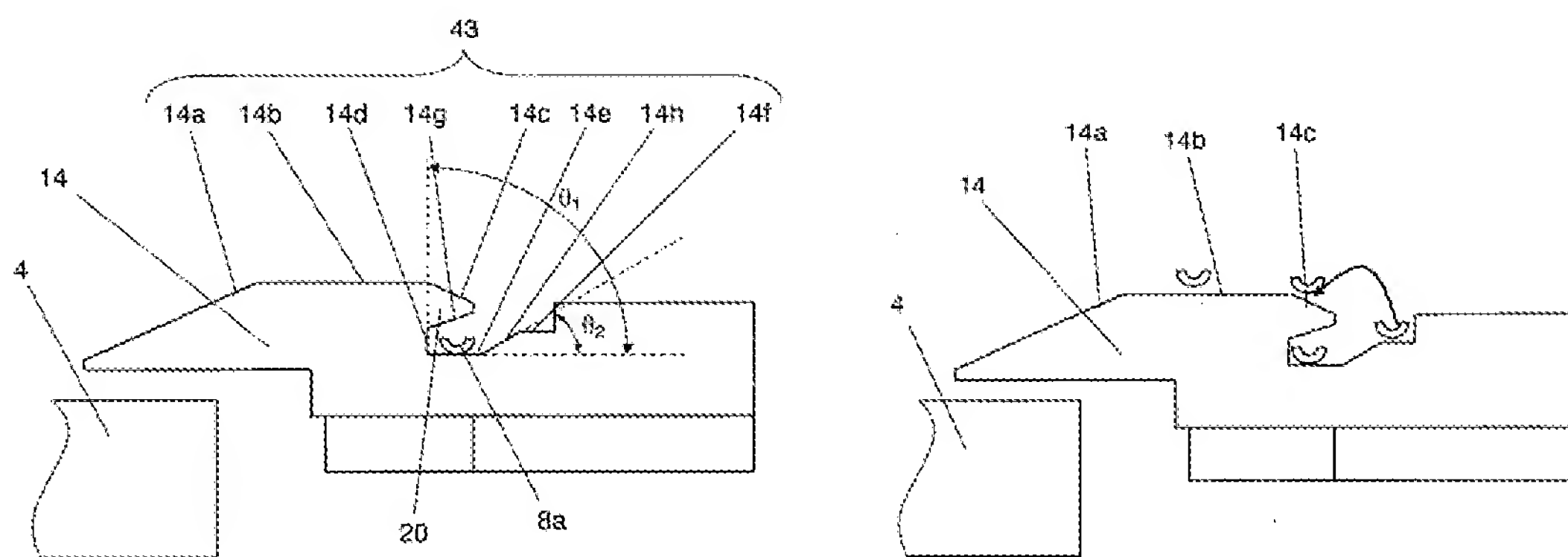
Pursuant to 37 CFR 1.133(b), the Applicants make of record the interview conducted in the above-identified application between Applicants' representative and the Examiner on March 10, 2010.

The Examiner contacted Applicants' representative to inquire as to whether any critical advantages were achieved by the present invention as recited in claims 3 and 17 which would preclude a rejection under 35 U.S.C. § 103(a) based on the *In re Japikse* precedent. Applicants' representative confirmed that the limitations of claims 3 and 17 do provide significant advantages over the prior art which preclude such a rejection; these advantages are summarized below.

Each of claims 3 and 17 require a head holding plane portion for holding the tab portion; a load side projecting portion formed on a loading side of the head holding plane portion; and an

unload side wall face formed on a unloading side of the head holding plane portion, wherein a load side wall face having an angle perpendicular to the head holding plane portion is formed on the loading side of the head holding plane portion, and wherein a head upper wall face extends directly from the load side wall face and forms a face opposed to the head holding plane portion.

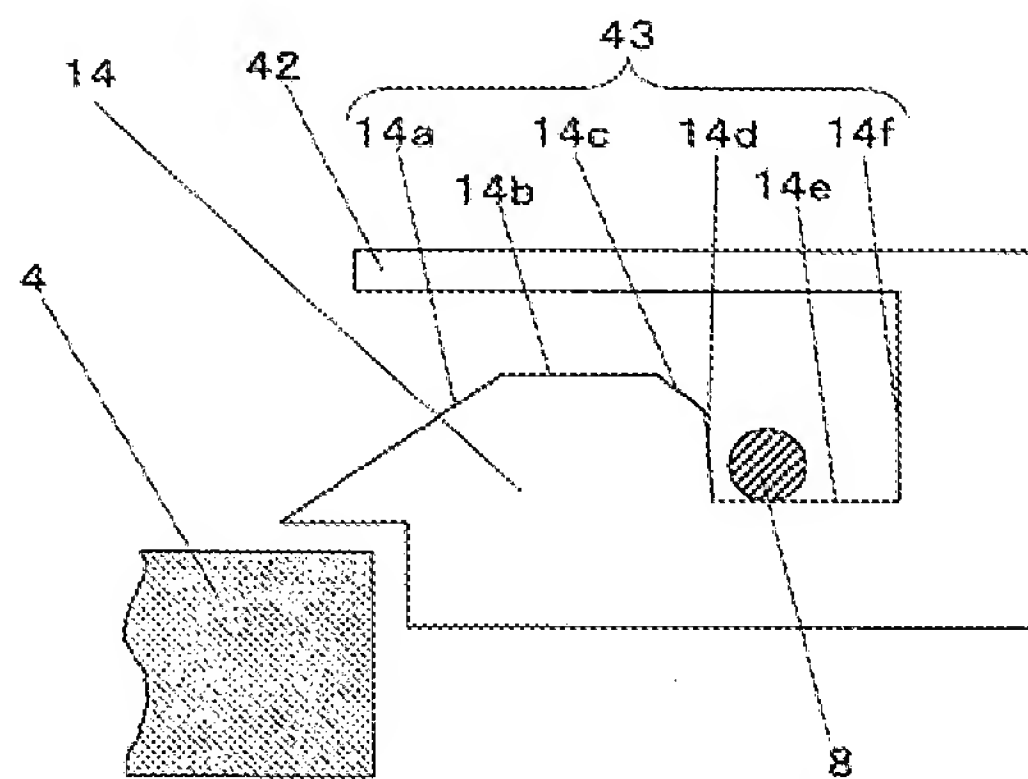
As seen in the exemplary depictions of figures 5 and 6, the above-underlined portions of claims 3 and 17 define an upper wall face which extends directly from the load side wall face; because the load side wall face is located on the loading side of the head holding plane, the upper wall face (14g) extends from the load side of the head holding plane. By providing such a configuration, an overhang is provided on the load side, and thus the tab portion (8a) must first travel away from load side wall face and then toward the load side wall face in order to leave the escaping position. In other words, the tab portion (8a) must travel in two opposite directions in order to leave the escaping position, as shown in figure 6. Accordingly, this configuration yields the advantage that inadvertent release of the tab portion (8a) is prevented.



**Figures 5 and 6 of the present application**

In contrast, the Kuwajima reference does not provide such an overhang on the load side of the head holding member. As such, the head holding member of Kuwajima is much more likely to experience inadvertent release of the tab portion (8) because the tab portion (8) does not

need to move in two opposite directions in order to escape the holding member (14). This release could be caused by, for example, an accidental jarring of the device. Because the configuration of the present invention yields significant and critical advantages, these features cannot be considered a mere rearrangement of parts, and thus an obviousness rejection over the Japikse precedent would be improper.



**Figure 5 of Kuwajima (US 2004/0240116)**

In view of the foregoing remarks, inasmuch as all of the outstanding issues have been addressed, it is respectfully submitted that the present application is now in condition for allowance, and action to such effect is earnestly solicited. Should any issues remain after consideration of the response, however, the Examiner is invited to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

Yoshihiro UENO et al.

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